

REMARKS

The application has been reviewed in light of the Office Action dated June 10, 2003. Claims 1-5 and 7-18 are pending and presented for examination in this application, with claims 1, 8, 13 and 18 being in independent form. Claim 6 was previously canceled. Claims 1 and 18 have been amended hereby to place the claims in better form for examination. It is submitted that no new matter has been added by the present amendment.

Claims 1, 7, 8, 13 and 18 were rejected under 35 U.S.C. § 102(b) or § 102(e) as allegedly anticipated by, or under 35 U.S.C. § 103(a) as purportedly obvious in view of, U.S. Patent No. 5,638,354 to Nakayama et al. Claims 2, 3, 9-11 and 15 were rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Nakayama et al. as applied to claims 1, 8 and 13, and further in view of U.S. Patent 5,477,527 to Tsuchiya et al. Claims 2-5, 9-12 and 14-17 were rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Nakayama et al. as applied to claims 1, 8 and 13, and further in view of U.S. Patent 5,673,250 to Mieda et al. or U.S. Patent 5,459,712 to Sugaya et al.

Applicants have carefully considered the Examiner's comments and the cited art, and respectfully submit that independent claims 1, 8, 13 and 18 are patentable over the cited art, for at least the following reasons.

This application is directed to an optical information recording medium which is not substantially affected by cross-talk even when phase pits exist on the lands situated at the right and left sides of a groove and in which the preformat information encoded by phase pits can be reproduced reliably. Applicants found that this objective can be achieved if a track pitch of the information track and a width and a

length of the phase pit are selected according to a condition that the preformat information for the information track is reproduced from the phase pit with a differential signal. ✓

For example, independent claim 1 relates to an optical information recording medium including information tracks extending in a circumferential direction and spaced from each other in a radial direction by lands, wherein first information track and a second information track are radially adjacent but are radially spaced from each other by a single land. A first phase pit encoding preformat information for the first information track is connected to the second information track and extends radially therefrom toward, but does not reach, the first information track. The first phase pit and the first information track are separated radially by a partition wall. The first phase pit and the first information track have equal depths. A track pitch of the first information track and a width and a length of the first phase pit are selected according to a condition that the preformat information for the first information track is reproduced from the first phase pit with a differential signal. ✓

Nakayama, as understood by Applicants, relates to an optical information recording medium having pregrooves and prepits for tracking formed in different positions of central lines, and a method for recording information to and regenerating recorded information from the optical information recording medium by tracking both a groove and a land. Nakayama discloses the use of a push-pull signal when the recorded information is regenerated from the optical information recording medium. ✓

However, Applicants do not find a teaching or suggestion that a track pitch of the information track and a width and a length of the

phase pit are selected according to a condition that the preformat information for the information track is reproduced from the phase pit with a differential signal. ✓

Tsuchiya, as understood by Applicants, relates to an optical disc having a pit length, a track pitch and a pit width, in respective specified ranges. Tsuchiya is cited in the Office Action for its disclosure of specific track pitch, spot size and pit width values.

Mieda, as understood by Applicants, relates to an optical recording medium having pit rows which are formed on every other boundary section. Mieda is cited in the Office Action as purportedly disclosing optical records having a plurality of pit formats available for maximizing system parameters, such as crosstalk reduction and increasing recording density. The Office Action states also that Figs. 3-5 of Mieda provide for a variety of parameters to be varied.

Sugaya, as understood by Applicants, relates to an optical disk having a recording layer on which information is recorded at specific pitches in the form of pit trains. Sugaya, like Mieda, is cited in the Office Action as purportedly disclosing optical records having a plurality of pit formats available for maximizing system parameters, such as crosstalk reduction and increasing recording density.

Applicants do not find a disclosure or suggestion in the cited art, however, of an optical information recording medium including information tracks extending in a circumferential direction and spaced from each other in a radial direction by lands, wherein a track pitch of the information track and a width and a length of the phase pit are selected according to a condition that the preformat information for the information track is reproduced from the phase pit with a differential signal, as provided by independent claim 1 as amended.

Since the cited art does not disclose or suggest each and every feature of the claimed invention, the cited art does not render the claimed invention unpatentable.

Independent claims 8, 13 and 18 are patentably distinct from the cited art for at least similar reasons. ✓

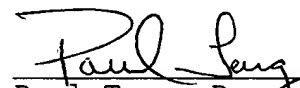
If a petition for a further extension of time is required to make this amendment timely, this paper should be considered to be such a petition, and the Commissioner is authorized to charge the requisite fees to our Deposit Account No. 03-3125.

The Office is hereby authorized to charge any additional fees that may be required in connection with this amendment and to credit any overpayment to our Deposit Account No. 03-3125.

If a further telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Entry of this amendment and allowance of this application are respectfully requested.

Respectfully submitted,



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